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New York (State) University

ANNUAL MEETING OF THE REGENTS OF THE UNIVERSITY.

SENATE CHAMBER, ALBANY, *January 12, 1882.*

THE DEATH OF REGENT HALE.

The Chancellor having announced the death of Regent Robert S. Hale on the 14th day of December, 1881, Regent Curtis presented a draft of a memorial minute to be entered on the records of the Board. He spoke as follows :

Regent CURTIS :

Too often, Mr. Chancellor, have our recent annual meetings been saddened by the commemoration of some one of our number departed. But during the time of my connection with the Board no greater loss has befallen it than that which we now deplore in the death of Robert S. Hale. He was one of the men whose vitality is so rich and sparkling, whose interests are so varied, and whose sympathies so generous, that their death is like a sudden chill at midsummer. His alert and incisive intelligence, his quick and flashing intellectual grasp, his blithe courage and somewhat aggressive independence, with a certain lofty and amused disdain of whatever is mean, and narrow, and low, made him one of the most interesting of men.

Add to this his affluent humor, his mental training, his generous literary taste finely cultivated, and his memory like a well ordered arsenal, in which every weapon of every calibre is always standing in its place, brightly burnished and ready for instant use, and you have also one of the most fascinating of companions. No man enjoyed more than he the *gausium certaminis*. What the poet makes Ulysses say of himself he could have said,

"I love to drink delight of battle with my peers."

He rode into every intellectual contest armed *cap-a-pie*. He struck no foul blow, and victor or vanquished he was still a knight without fear and without reproach.

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He was a lawyer always busily engaged in the practice of his profession. But he had that high public spirit and patriotism which was natural to the grandson of a captain of minute men who, within twenty-four hours of the news from Concord and Lexington, mustered his company of fifty-four men out of the 148 men of the village able to bear arms, and paraded them upon the village green, ready to march to the field. This blood of the minute man always beat in his veins. With the alacrity of patriotism he repaired to every public post to which he was summoned, and there with entire devotion he did his duty. The courts of law in which he was distinguished on the bench and at the bar; the Congress of the United States in which he fitly represented the pure character, the high intelligence and the simple Republican manners of a great rural constituency; the national and international tribunals before which he successfully maintained the rights of citizens entrusted to him by the government; the community in which he lived respected and beloved of all men; the home consecrated by that holy tenderness of affection which is the chief glory and consolation of human life, all these lament our friend.

We knew him especially and officially in his relations to the care of the higher education of the State, and we knew the liberal and the humane spirit, the diligence and sagacity, the ripe experience and wide knowledge and unflagging interest with which his duties here were discharged. We blend our sorrow with the common grief. I feel, Mr. Chancellor, that I speak for every one of us in saying that I have lost not only an official associate by whom I was instructed, but a personal friend whom I loved.

When Richard Cobden died, his adroit and untiring antagonist of many years, the late Lord Beaconsfield, then Mr. Disraeli, said in Parliament with pathetic magnanimity that there were certain members of the House who, having been once elected, never ceased to be members. Whether elected or defeated, afterward, whether seen or unseen, living or dead, their wisdom, their character, their public service, remained a possession of Parliament forever, guiding and illuminating England. In these familiar and friendly councils of ours we shall see no more that bright and active presence, nor grasp that kind and cordial hand, nor hear again the cheerful music of a

voice that is still. But in the unfading memory of that opulent and joyous nature, of that diligent life devoted to honorable ends, of that enlightened and generous and tender spirit, we shall feel that Robert Hale is still our associate, and that though dead he yet speaketh.

As an expression of the feelings of this Board on this occasion, I move, Mr. Chancellor, the adoption of the following minute, to be entered on the records; and that a copy duly attested by the signatures of the Chancellor, Vice-Chancellor and Secretary be sent to the family of the deceased.

MEMORIAL MINUTE.

The Board of Regents desire to inscribe upon their Records a permanent memorial of their respect and affection for their late associate, Robert S. Hale, and of their grateful recognition of his important public services. Mr. Hale was born in Vermont sixty years ago and graduated at the University of that State. He then taught in the academy at Montpelier, and began at Chelsea in Vermont the study of law which he completed at Elizabethtown, in New York, at which place he entered upon the practice of his profession after his admission to the bar in Albany in 1847, and he continued in that practice at Elizabethtown until his death. In 1856 he was elected County Judge of Essex County and in 1859 a Regent of the University. In 1860 he was appointed a Presidential elector, and in 1865 he was elected to Congress. In 1868 he was employed as special counsel of the Treasury before the Court of Claims of the United States. In 1876 he was nominated as a Judge of the Court of Appeals but with the majority of his party candidates was not elected. In 1871 he was appointed agent and counsel of the United States before the mixed Commission of claims under the Treaty of Washington. In 1873 he was again elected to Congress and in 1876 he was appointed by the Legislature one of the Commissioners of the State Survey.

To the discharge of these various professional and public duties Mr. Hale brought a singular combination of powers. His fine natural ability was admirably trained by various study and accomplishments. His mind was as accurate as it was alert. His memory was a treasury of well ordered knowledge. His eloquence was clear, forcible, and brilliant; and his quick sympathies, his profuse and delightful humor, his moral earnestness and courage made him one of the most delightful of companions as he was one of the most persuasive of advocates

and most upright of magistrates. His political like his professional career was distinguished by that independence which is as rare as it is manly, and which of itself is a public influence of the highest character. In this Board Mr. Hale's service was constant and efficient. In all its deliberations his sound judgment, his clear perception and his great experience were invaluable, and the Board are but too sadly conscious that his loss cannot easily be replaced.

It is indeed but an inadequate expression which any form of words could supply for the regret of this Board in the death of Regent Hale. His perfect rectitude, his admirably trained powers, his joyousness, and courtesy and sympathy, his high public spirit, his hearty fidelity to every duty, united to form the Christian gentleman whom his associates can never forget nor cease to deplore.

Regent BREVOORT:

Mr. CHANCELLOR: After the glowing and well deserved tribute which we have just listened to, I can add but a few plain words in memory of our recently deceased associate. He was but a few years my senior as Regent, and as my acquaintance with him was chiefly as one of our Board, I may speak of him only in that capacity.

However, his qualities as an able jurist and pure public servant were so well known by his permanent record that I had learned to admire virtues which every year seem to be less appreciated, and to have almost become things of the past. I remember not ten or twenty years ago when men of that stamp were more common, and without any reflection on our present representative men, I believe that the number of men like the late Robert S. Hale is less than then.

As I said, his ability as one of our Board, fully impressed with the duties of the office, was the characteristic that most attracted me. His clear apprehension of an involved or doubtful question and his mode of clearing it up were simply wonderful. This faculty no doubt ensured him success in his profession, but it was also of inestimable value to us in the Board. His pleasant way of amending a written report by suggestive interlineations, which were always aptly expressed and clearly worded, can never be forgotten.

He rarely entered into the discussion of a question unless well prepared to maintain and enforce his views, which gener-

ally proved to be the most proper and best adapted to settle the matter in debate. But as a man and as a friend he was welcomed by all who came in contact with him. His hearty and genial greeting were enough to make one like the man, and we shall miss his presence and this warmth of companionship, such as but few possess.

He was unsparing of himself in work, and his naturally robust frame yielded, in time, to the demands made upon it and upon the active energies of his mind. My hope is that one equally capable may be selected to fill the vacancy his death has caused in this Board.

Regent FITCH said :

Mr. Chancellor, I had intended to say a few words concerning our late friend, Robert S. Hale, but the ground has been so fully and so ably covered by the gentlemen who have preceded me, that I should refrain from adding anything to that which has been said, if I did not have a special object and feel impelled by a special sense of duty to say at least something. It is the first time since I have been a member of the Board that I have been thus specially constrained.

To me, Mr. Chancellor, there is something infelicitous in the rule of the French academy, which ordains that a newly chosen member shall deliver a panegyric upon the one whose death has made his election possible. The laurel is intertwined with the cypress, and through the stateliest strain of eulogy for the dead there seems to run the undertone of the gratulation of the living. Far more appropriate is it that the associates of the one who has departed, whose long intimacy and kindred pursuits with him give them the warrant to speak, should pay to his memory their meed of affection and of respect. In the gold of their tribute, there can be no alloy of selfishness. You have heard from those who have been intimately associated with Judge Hale in the work of this Board, and who well knew the qualities that informed his being and conspired in his success. The words they have spoken are words of beauty and tenderness and truth, but no words can be too graceful or too gracious in which to set forth the truth that was exemplified in his life and illustrated in his career. It seems proper that

a younger member of the Board should supplement these words, however feebly and unsatisfactorily he may do so. If I cannot claim any great intimacy with Judge Hale, I can at least express my sense of gratitude to him for aspirations quickened, for energies stimulated, and for some excursions with him into those wide realms of knowledge which he so freely traversed with assured feet. I come to express my gratitude as from a scholar to a teacher, and I frankly say that from such intercourse, as I have been privileged to have with men of prominence, I found him one of the ablest men I have ever met. He was singularly well equipped. His knowledge ran out in many different directions. As a lawyer he was acute, accurate and profound; as a jurist he was learned, discriminating and impartial; as a legislator, he was discreet, able and conscientious; and as a scholar he was exceedingly well informed, and that in several departments of research which few essay. In the classics and in English literature he was an authority, and had made thorough studies in ethnology and archæology. Genealogy had a supreme attraction for him, and he did much to revive an interest in it. He was proud of his Puritan ancestry, and had an earnest faith in the Puritan principle; and, better than all, his mental structure rested upon the firmest moral basis. In all the walks of life he was distinguished, but his various accomplishments were ever subordinated to the highest moral principle.

He lived in a small and quiet village, scarcely more than a hamlet, in the northern part of this State. There has always been a question whether men who are reared within the friction of great cities have the better opportunities for development, or whether they may become stronger or more robust from constant communion with the sublimity of nature, where the great peaks lift their faces to the skies and the streams make music as they flow toward the sea. Be this as it may, Judge Hale chose the latter, and although his practice extended through many counties and he was frequently heard before the court of last resort, and he was called to the public service at both the State and national capitals, he was faithful to his early chosen residence and to the attachments there formed. He has often spoken to me of his mountain home with enthusiasm and with reverence, and I am sure that he

found among the hills, where he so long lived, both the inspiration to intellectual effort, and the exhilaration which betrayed itself in his subtle humor and genial temperament.

And now one other reflection, trite, perhaps, but persuasive, occurs to me. If in this age of materialism, we can find no arguments, capable of being formulated with mathematical precision, with which to enforce our conviction of immortality, we have something better than argument, upholding and strengthening our faith, in the life and character of such a man as Judge Hale. We refuse to believe that his mighty mind has crumbled into nothingness. No infidel philosophy permits us to say, in the hushed chamber of our grief, that the voice of our friend is silenced forever, or that his brilliant gifts have been eternally eclipsed by the shadow of the tomb. We know better. As the midnight sun of the Arctic zone just dips below the horizon, to appear a moment later in greater splendor and glory, so we know that the soul of our friend disappears but to shine with an effulgence of which our imagination can have but feeble conception.

The Memorial Minute was then unanimously adopted, and out of further respect to the memory of Regent Hale, the Board adjourned.

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